



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,375	05/25/2001	Ruiguo Yang	CTX-071 (1545/124)	4422

959 7590 12/14/2004

LAHIVE & COCKFIELD, LLP.
28 STATE STREET
BOSTON, MA 02109

EXAMINER

NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
----------	--------------

2154

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/866,375

Applicant(s)

YANG ET AL.

Examiner

Dustin Nguyen

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date see attachment.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Continue of IDS: 02/09/2004, 10/09/2003, 02/26/2002, 12/07/2001, 07/02/2001

DETAILED ACTION

1. Claims 1 – 20 are presented for examination.

Specification

2. Please update status of any related cases as mentioned in the disclosure.

Information Disclosure Statement

3. Please resubmit missing foreign patent documents and other documents in IDSs for consideration.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower, II et al. [US Patent No 5,983,190], in view of Clapp et al. [US Patent No 5,802,281].

Art Unit: 2154

6. As per claim 1, Trower discloses the invention substantially as claimed including a method of remotely controlling, by a server, the formation of an off-screen surface at a client coupled to the server via a communications network, the method being performed at the server and comprising the steps of:

instructing the client to select a first memory region for allocation to the off-screen surface [i.e. SetWindowRgn] [col 7, lines 21-67; and col 11, lines 38-58], the first memory region corresponding to a memory coupled to the client [Figure 1; and col 4, lines 8-19];

instructing the client to copy the graphical data associated with the indicia to a particular location within the first memory region [col 8, lines 1-30; and col 11, lines 38-58].

Trower does not specifically disclose

transmitting indicia of a graphical data to the client.

Clapp discloses

transmitting indicia of a graphical data to the client [Abstract; col 25, lines 16-24; and col 26, lines 40-43].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Trower and Clapp because Clapp's teaching would allow information to be easily controlled and transported to multiple machines in a network.

7. As per claim 2, Trower discloses specifying a plurality of attributes associated with the off-screen surface [col 20, lines 65-col 21, lines 2].

Art Unit: 2154

8. As per claim 3, Trower does not specifically disclose wherein the indicia of the graphical data corresponds to a fuzzy key, the fuzzy key identifying a location of the graphical data within a persistent storage memory coupled to the client. Clapp discloses wherein the indicia of the graphical data corresponds to a fuzzy key, the fuzzy key identifying a location of the graphical data within a persistent storage memory coupled to the client [col 11, lines 41-57]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Trower and Clapp because Clapp's teaching would provide a way to access information in a sufficient manner.

9. As per claim 4, Trower discloses wherein the indicia of the graphical data corresponds to an index [col 20, lines 57-64], the index identifying a location of the graphical data within a cache memory coupled to the client [col 9, lines 32-51].

10. As per claim 5, Trower discloses instructing the client to update an on-screen surface associated with the client using the copied graphical data in the off-screen surface [i.e. redraw] [col 11, lines 38-58].

11. As per claim 6, Trower discloses storing a duplicate of the off-screen surface in a memory coupled to the server [col 15, lines 16-32].

12. As per claim 7, Trower discloses upon receiving an indication of an error condition, transmitting at least one portion of the duplicate off-screen surface to the client; and instructing

Art Unit: 2154

the client to copy the at least one portion of the duplicate off-screen surface to an on-screen surface associated with the client [col 8, lines 1-30; and col 11, lines 39-58].

13. As per claim 8, Trower does not specifically disclose instructing the client to select a second memory region; and instructing the client to copy the graphical data to a particular location within the second memory region, wherein step is performed in response to receiving an indication of an error condition. Clapp discloses instructing the client to select a second memory region; and instructing the client to copy the graphical data to a particular location within the second memory region, wherein step is performed in response to receiving an indication of an error condition [i.e. double buffering] [col 10, lines 49-67]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Trower and Clapp because Clapp's teaching would allow information to maintain its integrity.

14. As per claim 9, Trower discloses wherein the graphical data corresponds to a bitmap [col 5, lines 10-12].

15. As per claim 10, Trower discloses wherein the graphical data corresponds to a glyph [i.e. character] [col 1, lines 24-30].

16. As per claim 11, Trower discloses wherein the graphical data corresponds to a strip [col 9, lines 5-17].

17. As per claim 12, it is rejected for similar reasons as stated above in claim 1. Furthermore, Trower discloses client agent [Figure 2; and col 21, lines 58-60] and server agent [col 3, lines 15-19].

18. As per claims 13 and 14, they are rejected for similar reasons as stated above in claims 3 and 4.

19. As per claim 15, Trower discloses attributes of the off-screen surface are specified by the server agent [col 2, lines 50-62].

20. As per claim 16, it is rejected for similar reasons as stated above in claim 6.

21. As per claim 17, it is rejected for similar reasons as stated above in claim 5. Furthermore, Trower discloses discarding the off-screen surface stored within the first memory region upon the occurrence of an error condition [i.e. flushed] [col 15, lines 61-col 16, lines 4].

22. As per claims 18-20, they are rejected for similar reasons as stated above in claims 9-11.

23. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for

Art Unit: 2154


response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached at (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Dustin Nguyen

Art Unit 2154